

MEETINGS TO DATE 23
NO. OF REGULARS 19
NO. OF SPECIALS 4

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LANCASTER, NEW YORK
OCTOBER 17, 1977

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 17th day of October, 1977 at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
ROBERT W. URBAN, HIGHWAY SUPERINTENDENT

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens for or against the proposed Preliminary 1978 Special Districts Budget.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS

None

OPPONENTS

None

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BOLENDER AND CARRIED, by unanimous roll call vote, the Public Hearing was closed at 8:07 P.M.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens for or against the proposed repeal of the Existing Section 40-2 (A)(1) of Chapter 40, "Tax Exemption" of the Code of the Town of Lancaster and enactment of a new Section 40-2 (A)(1) of Chapter 40 "Tax Exemption" of the Code of the Town of Lancaster.

Affadavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

Edith Fuldauer
12 Clark Street
Lancaster, N.Y.

OPPOSERS

None

ON MOTION BY COUNCILMAN BOLENDER, AND SECONDED BY COUNCILMAN METZ AND CARRIED, by unanimous roll call vote, the Public Hearing was closed at 8:35 P.M.

BID OPENING SCHEDULED AT 8:45 P.M.:

At 8:45 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster three (3) new Commercial Overhead Garage Doors for the Town of Lancaster Ambulance Garage.

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the time for receiving the aforesaid proposals was closed at 8:50 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

The following proposals were received:

<u>BIDDER</u>	<u>BID</u>
1. Overhead Door Co. of Buffalo Inc. 1935 Genesee Street Buffalo, New York 14211	\$2685.00 Base \$2826.00 Alt.
2. Eden Door Sales, Inc. P.O. Box 262 Angola, New York 14006	\$2862.00

BID OPENINGS SCHEDULED FOR 8:45 P.M. CONT'D.:

<u>BIDDER</u>	<u>BID</u>
3. Ertel Door Sales 534 Aurora Road Lancaster, New York 14086	\$2421.33 Base \$2597.18 Alt.
4. W. J. Taylor International Construction Corp. 45 Stanley Street Buffalo, New York 14206	\$3089.00 Base \$3227.00 Alt.
5. Lighthart Sales Inc. 587 Winslow Avenue Buffalo, New York 14211	\$2481.00 Base \$2615.00 Alt.

ON MOTION BY COUNCILMAN BARNHARDT, AND SECONDED BY COUNCILMAN BERENT AND CARRIED, by unanimous roll call vote, the aforesaid proposals were ordered turned over to the Highway Superintendent for examination, tabulation, and recommendation.

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Town Clerk	September, 1977
Dog Warden	September, 1977

The Town Clerk reported that the following Boards, Commissions, Bureaus, and Committees of the Town of Lancaster have filed with him minutes or memorandums of their meetings as follows:

Planning Board	Meeting No. 18 - September 21
	Meeting No. 19 - October 5

COMMITTEE REPORTS:

Councilman Berent, for the Fire Committee, reported that he and Councilman Barnhardt will sponsor a resolution later in the evening memorializing the State Legislature to enact legislation granting a \$500.00 real property tax exemption for the volunteer firemen of the State of New York who render fire service to towns outside of villages.

PRESENTATION OF RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

RESOLVED, that the minutes of the meetings of the Town Board, held
September 26, 1977 and October 3, 1977, as presented by the Town Clerk, be and
hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duh~~
The resolution was thereupon unanimously adopted.

October 17, 1977

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT TO WIT:

WHEREAS, the Millgrove Volunteer Fire Company, Inc., by letter
dated October 12, 1977 has requested confirmation of three (3) new members
duly elected to the Membership of the Millgrove Volunteer Fire Company, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the membership of the following individuals in the Millgrove
Volunteer Fire Company, Inc.:

CONFIRMATIONS

Chris L. Hancock
11665 Genesee St.
Alden, New York 14004

George H. Walker, Jr.
3537 Townline Road
Lancaster, New York 14086

James N. Brant
12017 Genesee St.
Alden, New York 14004

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

October 17, 1977

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Erie County Development Coordination Board and Erie
County Division of Planning will sponsor a Comprehensive Planning Seminar
on Monday, October 31, 1977 at East Aurora, New York;

NOW, THEREFORE, BE IT

RESOLVED, that the following Town officials be and hereby are
authorized to attend said seminar with cost reimbursement of \$8.50 each,
together with mileage for those persons providing transportation:

Stanley Jay Keysa
Arthur P. Varga
Raymond Barnhardt
Donna Gumulak

George E. O'Neil
Richard Sherwood
Malcolm Francis
Dominic J. Terranova

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

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The resolution was thereupon unanimously adopted.

October 17, 1977

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER ; WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

The Town Board of the Town of Lancaster has duly advertised for
bids for furnishing to the Town of Lancaster three (3) New Commercial Overhead
Garage Doors for the ambulance garage and Town Hall, at 21 Central Avenue,
Lancaster, New York, in accordance with specifications on file with the Town
Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened on October 17, 1977,

NOW, THEREFORE, BE IT

RESOLVED, that the low bid of Ertel Door Sales, 534 Aurora Road,
Lancaster, N.Y. in the amount of \$2,597.18 , being the lowest
responsible bid in conformance with specifications relating thereto, be and
hereby is awarded.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

October 17, 1977

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Lighting Committee of the Town Board of the Town of Lancaster has requested, and the New York State Electric & Gas Corporation has submitted, a proposal for improvement of street lighting on Walden Avenue within Consolidated Lighting District No. 1 of the Town of Lancaster, and

WHEREAS, the Lighting Committee of the Town Board, after investigation, review and consideration, has recommended the said installation as contained in said proposal,

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric & Gas Corporation be and hereby is authorized to make the following installation within Consolidated Lighting District No. 1 of the Town of Lancaster: //

Walden Avenue:

Install 1, - 11000 lumen mercury VG lamp
(Pole 142, Line 307A) @\$62.00 ea.

Annual Increase \$62.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

dxlxx

The resolution was thereupon unanimously adopted.

October 17, 1977

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, Lieutenant Thomas Fowler of the Police Department of the
Town of Lancaster, has requested a one-year leave of absence, commencing
January 1, 1978, or as soon thereafter as manpower requirements will permit, in
order to pursue a teaching endeavor at Erie Community College, which will
enhance his skills as a police officer, and

WHEREAS, the Chief of Police has interposed no objection thereto
by letter dated September 9, 1977,

NOW, THEREFORE, BE IT

RESOLVED, that Lieutenant Thomas Fowler is hereby granted a leave
of absence from the Police Department of the Town of Lancaster, for a period
of one year, to commence January 1, 1978, or as soon thereafter as manpower
requirements of the Department will permit.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

October 17, 1977

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

WHEREAS, Governor Carey has heretofore impounded the difference between 25% and 33-1/3% of eligible costs of operation and maintenance for sewage treatment plants, which has adversely affected Erie County Sewer Districts, and

WHEREAS, a favorable decision was rendered on September 2, 1977, directing the Governor to release said difference in operation and maintenance aid for sewage treatment plants,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Governor immediately release operation and maintenance aid for sewage treatment plants heretofore impounded, in order to ease the burden to taxpayers in Erie County Sewer Districts, and

2. That in view of the increased costs of advanced technology required in the operation of new treatment plants, that the Governor and State Legislature take action to increase State Aid for operation and maintenance of new treatment plants from the present 33-1/3% to no less than 50% of such costs, and

3. That the Town Clerk forward a certified copy of this resolution to the Governor of the State of New York, the County Executive of Erie County, Clerk of the Erie County Legislature, State Senator Dale Volker and State Assemblyman Vincent Graber.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~advice~~

The resolution was thereupon unanimously adopted.

October 17, 1977

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, that the following transfers within the Federal Revenue
Sharing Fund and the General Fund of the Town of Lancaster be and hereby are
effected:

	From		To
	Account	Amount	Account Amount
<u>FEDERAL REVENUE</u>			
<u>SHARING FUND</u>			
Playgrounds & Recreation			
Personal Services	7140.1	\$ 750.00	
Parks			
Personal Services			7110.1 \$ 750.00
<u>GENERAL FUND</u>			
Law			
Contractual Expenses	1420.4	65.80	
Equipment			1420.2 \$ 65.80
Election			
Contractual Expenses	1450.4	9.91	
Equipment			1450.2 9.91
Unallocated Insurance			
Contingent Account	1990	2186.00	1910 2186.00
Superintendent of			
Highways			
Contractual Expenses			5010.4 1200.00
Employee Benefits-			
State Retirement	9010.8	1200.00	
Garage			
Contractual Expenses			5132.4 6000.00
Employee Benefits-			
State Retirement	9010.8	6000.00	

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

October 17, 1977

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Insurance Committee of the Town Board of the Town of Lancaster, after much study and deliberation, has recommended to the Town Board that the insurance requirements of the Town of Lancaster will be best served by contracting for same after public bid, as heretofore accomplished, and

WHEREAS, it is in the public interest to retain an Insurance Advisor to review present insurance policies, analyze insurance needs of the Town of Lancaster, draw bid specifications and documents, tabulate, review and report concerning bids received, make recommendations to the Town Board relative thereto, review finally tendered insurance contracts and certify conformity of same with the bid specifications, and

WHEREAS, the Insurance Committee of the Town Board has recommended the firm of Stanton & Ryan, Inc. as Insurance Advisors qualified and capable to accomplish the foregoing, including the providing of annual consulting and advisory services,

NOW, THEREFORE, BE IT

RESOLVED, that the insurance firm of Stanton & Ryan, Inc. of 1299 Union Road, West Seneca New York, be and hereby is retained as follows:

1. As Insurance Advisors, in accordance with its letter of October 5, 1977, review present insurance policies, analyze insurance needs of the Town of Lancaster, draw bid specifications and documents, tabulate, review and report concerning bids received, make recommendations to the Town Board relative thereto, review finally tendered insurance contracts and certify conformance of same with the bid specifications, for a fee of \$3,000 for said services, to be paid upon satisfactory completion thereof,
2. To retain the insurance firm of Stanton & Ryan, Inc. on an annual basis, commencing January 1, 1978, to act as liaison between the insurance company or companies, the writing agent and the Town Board and/or delegated Department Head and to check endorsements, audits, renewal policies, review meetings of the Town Board and other public actions of the

Department Heads of the Town of Lancaster to ascertain the on-going insurance needs of the Town of Lancaster and to make recommendations regarding such insurance needs in order to best protect the property of the Town of Lancaster, at an annual fee of \$1,000.00, commencing January 1, 1978 and terminating December 31, 1980, to be paid quarterly upon presentation of properly audited voucher.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

October 17, 1977

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMEN BARNHARDT AND BERENT, WHO
MOVED ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

WHEREAS, a public hearing was held on the 17th day of October, 1977,
for the purpose of the repeal of the existing Section 40-2(A)(1), of Chapter 40,
Tax Exemption, of the Code of the Town of Lancaster and the enactment of a new
Section 40-2(A)(1) to replace same, and persons for and against such repeal
and enactment have had an opportunity to be heard, and

WHEREAS, a Notice of said public hearing was duly published and
posted,

NOW, THEREFORE, BE IT

RESOLVED, that a new Section 40-2(A)(1), of Chapter 40, Tax Exemption,
of the Code of the Town of Lancaster, be enacted and that the existing
Section 40-2(A)(1) of said Chapter, be repealed, and

BE IT FURTHER

RESOLVED, as follows:

1. That the new Section 40-2(A)(1) of Chapter 40, Tax Exemption, of
the Code of the Town of Lancaster, appended hereto and made a part hereof, be
added in the minutes of the Town Board of the Town of Lancaster held on the
17th day of October, 1977, and

2. That a certified copy thereof be published in the Lancaster
Enterprise-Journal on October 20, 1977, and

3. That a certified copy of the new Section 40-2(A)(1) of Chapter 40,
Tax Exemption, of the Code of the Town of Lancaster, be posted on the Town
Bulletin Board, and

4. That affidavits of publication and posting be filed with the Town
Clerk.

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

all

The resolution was thereupon unanimously adopted.

October 17, 1977

LEGAL NOTICE

NOTICE OF REPEAL OF EXISTING SECTION 40-2(A)(1)
OF CHAPTER 40, TAX EXEMPTION, OF THE CODE OF THE
TOWN OF LANCASTER
AND

ADOPTION OF A NEW SECTION 40-2(A)(1) OF
CHAPTER 40, TAX EXEMPTION, OF THE CODE OF THE
TOWN OF LANCASTER
COUNTY OF ERIE, STATE OF NEW YORK.

The existing Section 40-2(A)(1), of Chapter 40, Tax Exemption,
of the Code of the Town of Lancaster, is hereby repealed and a new
Section 40-2(A)(1), of Chapter 40, Tax Exemption, of the Code of the Town
of Lancaster, is hereby adopted, to read as follows:

"Sec. 40-2. Exceptions; application.

A. No exemption shall be granted:

- 1) If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of seven thousand two hundred dollars (\$7,200.00). Income tax year shall be the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts or inheritances. In computing net rental income and net income from self employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income."

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by
letter dated September 30, 1977 has requested confirmation of one (1)
non-resident member, and

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., at
a regular meeting held on September 2, 1977, by a vote of 3/4 of all the
members present, authorized the non-resident membership of Harold Hauth,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the following individual in the Bowmansville Volunteer Fire
Association, Inc.:

CONFIRMATION

Harold Hauth
47 Hatch Court
Cheektowaga, New York

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

The resolution was thereupon unanimously adopted.

October 17, 1977

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 5641 to 5696 Incl.	\$143,892.54
Special District Funds	No. 251 to 254 Incl.	\$ 80,582.04
Part Town Funds	No. 471 to 476 Incl.	\$ 55,695.99
Highway Funds	No. 1559 to 1584 Incl.	\$ 23,553.24
Trust & Agency Funds	No. 215 to 218 Incl.	\$159,889.93
Federal Revenue Sharing	No. 818 to 830 Incl.	\$ 4,113.59
Capital Fund	No. 267 to 272 Incl.	\$ 1,217.19

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

October 17, 1977

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

RESOLVED, that the following Building Permit Applications be and
are hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
142	Donald Mann	182 Pleasant View	ER. FR. BARN
143	Lee Greenley	5208 Genesee	EXT. FR. SHOP
144	James Laughlin	163 Peppermint Rd.	ER. STEEL FENCE
145	Marrano Enter.	34 Deerpath Dr.	ER. FR. BRK. VEN. FRONT SIN. DWLG PVT. GARAGE
146	Marrano Enter.	56 Fox Hunt Rd.	ER. FR. BRK. VEN. FRONT SIN. DWLG PVT. GARAGE
147	Marrano Enter.	63 Fox Hunt Rd.	ER. FR. BRK. VEN. FRONT SIN. DWLG PVT. GARAGE
148	Marrano Enter.	17 Idlebrook Ct.	ER. FR. BRK. VEN. FRONT SIN. DWLG PVT. GARAGE
149	Gerald Caci	197 Ransom Rd.	EXT. FR. BARN
150	Josela Enter.	4875 Transit	ER. FR. FIBERGLASS SIGN
151	Josela Enter.	25 Old Schoolhouse Common.	ER. FR. BRK. VEN. SIN. DWLG PVT. GARAGE

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

October 17, 1977

Councilman Bolender requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, it has been requested that the following individuals be authorized to attend meetings which would be beneficial to the administration of their respective duties, and

WHEREAS, it is deemed in the public interest that such authorization be granted,

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby authorized to attend the following meetings:

William F. Dougherty, Jr., Building Inspector - Building Officials School, Hamburg, New York, November 1, 10, 15, 29, and December 6, 1977, with reimbursement for actual and necessary expenses not to exceed \$100.00, plus mileage.

Dolores Meiler, Marion Tryanowski, Judith Kane, and Janet Mrozek, Court Clerks - Training Session for Town and Village Clerks of the Eighth Judicial District, Buffalo, New York, October 22, 1977, with reimbursement for actual and necessary expenses not to exceed \$10.00 per person attending plus mileage.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

October 17, 1977

Councilmen Berent and Barnhardt requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMEN BERENT AND BARNHARDT, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCILMAN METZ, TO WIT:

WHEREAS, members of Volunteer Fire Companies in towns outside of villages, unlike their counterparts in incorporated villages, do not enjoy any tax exemption from real property taxes by reason of their volunteer fire company membership, and

WHEREAS, such volunteer firemen serve at great personal sacrifice, both financially and physically in protecting the lives and property of township residents, and

WHEREAS, the granting of real property tax exemption, as may be granted to village volunteer firemen under Section 466 of the Real Property Tax Law, would provide some small measure of appreciation by township residents to their dedicated volunteer firemen,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby memorialize the Governor, Assembly and Senate of the State of New York, and also State Assemblyman Vincent Graber and State Senator Dale Volker, to enact enabling legislation similar to Section 466 of the Real Property Law, authorizing the adoption of a proposition by qualified voters of the town to exemption from taxation for town purposes to the extent of \$500.00, in addition to any other exemption authorized by law, the real property owned by a member of a volunteer fire company serving the unincorporated portion of any township in New York State, and

BE IT FURTHER

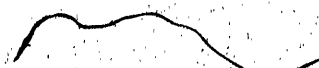
RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Governor, Clerk of the New York State Assembly and Clerk of the New York State Senate, Assemblyman Graber, State Senator Volker and a copy to the four volunteer fire companies presently under contract to the Fire Protection District of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

October 17, 1977



STATUS REPORT ON UNFINISHED BUSINESS:

1. Preferential Rights, Erie-Lackawanna R.R.
On October 7, 1977, the Supervisor met with Walter F. Marcus, President of Hansen Appraisal Service, Inc., and made arrangements with him for the submission of a proposal to the Village of Lancaster, Town of Lancaster, and Town of Alden for the cost of appraisal services for this property acquisition.
2. Public Dedication of Townedge Water Lines
On April 18, 1977, the Town Board adopted a resolution requesting the Erie County Water Authority to review and accept a proposal for the interconnection of an 8-inch line between Transit Road and Aurora Street as it passes through both the Townedge Apartment Complex and the proposed Countryside Subdivision.
3. Public Improvement Permit Authorization, Lancaster Industrial Park
On September 6, 1977, the Town Board approved Public Improvement Permit Nos. 41 and 42 for storm sewer and pavement and curbs.
4. Public Improvement Permit Authorization, Old Schoolhouse Common
On July 5, 1977, the Town Board accepted the public improvements for pavement, curbs, and storm drain. On September 6, 1977, the Town Board accepted the public improvement for water lines.
5. Public Improvement Permit Authorization, Pleasant Meadow Subdivision
On June 20, 1977, the Town Board approved Public Improvement Permit Nos. 37, 38, 39, and 40 for water, storm drain, pavement and curbing, and retention pond for this subdivision. On September 6, 1977, the Town Board approved Public Improvement Permit Nos. 43 and 44 for additional water, storm drain, pavement and curbing.
6. Request Speed Evaluation, Erie Street - Former Erie R.R. tracks to Village of Lancaster East Line
On September 20, 1977, the N.Y.S. Dept. of Transportation acknowledged receipt of the Town Board's report for a traffic evaluation at this location and indicated that an investigation will be made as soon as their caseload permits.
7. Request Speed Evaluation, Ransom Road - Broadway north to Walden Ave.
On February 7, 1977, the Regional Traffic and Safety Office recommended to Albany a reduction of the speed limit on this portion of Ransom Road from 55 mph to 45 mph. The Town is currently awaiting receipt of the official order from the N.Y.S. Dept. of Transportation.
8. Rezone Petition, Guenter H. and Eva G. Burkhardt
On October 6, 1977, the petitioner filed with the Town Clerk an amended rezone petition and the Town Clerk transmitted the petition to the Planning Board for their review and report. The Planning Consultant has written the petitioner requesting a development plan for the proposed rezone area and no action will be taken by the Planning Board until the petitioner submits the required development plan.
9. Rezone Petition, 67 Sheldon, Inc.
On July 18, 1977, this matter was presented to the Town Board and referred to the Planning Board for report and recommendation. On September 6, 1977, it was referred back to the Planning Board for additional review and report.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:

10. Subdivision Approval, Josela Enterprises, Countryside Subdivision
On February 6, 1976, the Planning Board granted a preliminary approval to the subdivider for this subdivision. The developer has been requested to submit revised plans in accordance with a letter from the Town Engineer dated April 22, 1977.
11. Subdivision Approval, Woodview Estates Subdivision
On May 16, 1977, this matter was presented to the Town Board and referred to the Planning Board, Town Engineers and Planning Consultant for review and report. The developer has been requested to submit drainage calculations and a revised plan in accordance with the Town Engineer's letter dated May 17, 1977.
12. Traffic Signal Request, Central and Columbia Avenues
On September 27, 1977, the Chief of Police filed a traffic survey count with the Town Board and recommended against the installation of a traffic signal at this location.
13. Traffic Signal Request, Central Avenue and Kennedy Court
On September 27, 1977, the Chief of Police filed a traffic survey count with the Town Board and recommended against the installation of a traffic signal at this location.

The Town Clerk was directed to add the following item to the status reports of future Town Board agendas:

"Warning Device, Schwartz Road at ConRail Crossing (formerly E.L.R.R.)"

PERSONS DESIRING TO ADDRESS TOWN BOARD:

Cleta Schermerhorn, 70 Elm Place, Lancaster, spoke to the Town Board relative to the contract award for three (3) garage doors for the new Ambulance Garage.

She asked if at all possible, the award be given to a local resident who pays taxes in the Town of Lancaster rather than to a non-resident.

The Supervisor and Attorney explained to Mrs. Schermerhorn that the law is very specific in this area and that the Town Board must award to the lowest responsible bidder meeting the specifications.

COMMUNICATIONS:DISPOSITION

704. Corres. sec'y, Bowmansville Vol. Fire Assoc. to Town Board - Recommendation that non-resident member be appointed to active roster.	R & F
705. Mr. and Mrs. Lewis Frank to Town Board - Request assistance in remedying the flooding situation on their property at 3982 Walden Ave.	Supervisor
706. Copy of the September, 1977 Report of the Dog Warden.	R & F
707. N.Y.S. Dept. of Labor, Unemployment Ins. Div. to Supervisor - Notification of Town's Acct. Number and request that Form 1A 100G be submitted by 1/1/78.	Deputy Attorney R & F Clarence Rainess
708. Copy of the Planning Board Minutes for Meeting No. 18 held 9/21/77.	R & F
709. Copy of the September, 1977 Report of the Town Clerk.	R & F
710. Town Engineers to Town Board - Transmittal of letter from Kipphut & Neumann Co., Inc. giving notice of more than 50% completion of Public Works Garage.	Engineers R & F
711. Copy of letter from Town Clerk to Sec'y, Planning Board transmitting amended rezoning petition of Guenter H. and Eva G. Burkhardt.	R & F
712. Town Clerk to Town Board - Resume of actions taken in response to directions and resolutions of the Town Board meeting of 10/3/77.	R & F
713. County Dept. of Environ. Quality to Supervisor - Notification of various alternatives in regards to Bowmansville Pump Station Flood Level.	Highway Sup't. R & F
714. Copy of memo from County Div. of Planning to Dir., Comm. Devel. Program transmitting signed 1977 C.D. Agreement.	Supervisor R & F
715. Copy of memo from County Div. of Planning to Dir., Comm. Develop. Program regarding notification of "Opt-out" Right, 1978 (4th year) C.D. Program.	R & F
716. Copy of an article published in "Public Works, August, 1977" issue regarding Blizzard of '77.	R & F
717. Copy of letter from Supervisor to Dept. of Environ. Quality requesting that dual sewers be restored on Stutzman Rd. and Redlein Dr. or that funding be provided to tunnel for the house connections.	R & F

COMMUNICATIONS CONT'D.:DISPOSITION

718. Copy of letter from Supervisor to N.Y.S. Dept. of Trans. regarding various details in connection with the proposed acquisition of the abandoned Erie-Lackawanna R.R.	R & F
719. Chief, Bowmansville Vol. Fire Assoc. to Supervisor - Notification of various homes that were pumped out at least once during 1977.	Highway Sup't. Supervisor
720. Copy of letter from Deputy Comm., County Dept. of Environ. Quality to Josela Enter. requesting a meeting between all parties concerned regarding E.C.S.D. No. 4 - Townedge Apartments.	Attorney
721. Copy of letter from Town Consultants to Supervisor requesting appointment as Town Consultants for total fees amounting to \$4,000.00.	R & F
722. Copy of letter from Town Insurance Consultants to Thill-Demerly regarding competitive bidding of insurance renewals.	R & F
723. Copy of letter from County Dept. of Environ. Quality to Lancaster Village Mayor Lyons listing reasons why ECSD No. 4 should not become involved in the reconstruction of a sanitary sewer on Aurora St.	R & F
724. Copy of letter from County Dept. of Environ. Quality to Board of Mgrs, ECSD No. 4 regarding correction fees.	R & F
725. Copy of letter from County Dept. of Environ. Quality to Board of Mgrs. regarding resolution of 8/17/77 - Aurora St. storm drain.	R & F Sewer Comm.
726. Town Engineers to Town Board - Transmittal of plaque layout for Public Works Garage.	R & F
727. Copy of letter from Max W. Jacobs to Neil DuBrock, Studio Arena Theatre, requesting assistance to the Supervisor regarding the Opera House.	R & F
728. Copy of memo from County Div. of Planning to Supervisors regarding 1978 CD Application Process.	R & F
729. Copy of letter from N.Y.S. Dept. of Environ. Conser. to Gen. Mgr., Schmitt's Garage requesting a report detailing actions to remedy the discharge of foreign materials into Ellicott Creek.	Building Inspec.
730. Memo from Bureau of Property Assistance to Executive Heads of Towns regarding the Federal Surplus Property Donation Program.	Supervisor
731. Building Inspector to Town Board - Request permission to attend the Building Officials School in Hamburg, N.Y. on 11/1, 11/10, 11/15, 11/29 and 12/6/77.	Attorney

732.	Copy of letter from Town Attorney to Adm. Dir., Erie Co. Water Authority regarding contract for installation of 7 hydrants.	R & F
733.	Copy of letter from Supervisor to Mrs. . Geraldine S. Schleicher outling remedies that will clear up complaints.	Highway Sup't.
734.	Copy of letter from Supervisor to U.S. Army Corp of Engineers expressing sadness due to the death of Salvatore A. Maiore, Chief of the Hydrologic and Hydraulics Branch.	R & F
735.	Copy of letter from Supervisor to Mgr., Marine Midland Bank-Western requesting a written explanantion of delay in transfer of funds to M & T, and that interest payment be made in the amount of \$137.75 for the use of said funds.	R & F
736.	Copy of letter from Supervisor to Lancaster Village Mayor and Town of Alden Supervisor regarding a proposal to be drawn up by Hansen Appraisal Service, Inc. regarding D L & W Right of Way.	R & F
737.	Sec'y, Millgrove Vol. Fire Co., Inc. to Town Clerk - Recommendation that three (3) new members be appointed to the active roster.	R & F
738.	Copy of the Planning Board Minutes for Meeting No. 19 held 10/5/77.	R & F
739.	Krehbiel Assoc. to Supervisor - Notification of possibility to TV Glendale's storm sewer at an estimated cost of \$500. - \$600.	R & F
740.	Sen. Norman J. Levy, 8th Dist. to Leo Weimer, Chair., Indus. Devel. Agency - Request attendance at the N.Y.S. Senate Standing Comm. on Labor Hearing to be held 10/19/77 in Buffalo.	Supervisor
741.	Ass't. Deputy Comm., County Dept. of Environ. Quality to Supervisor - Transmittal of tabulation showing the various EPA cuts in eligibility for ECSD No. 4.	Sewer Comm.
742.	Highway Supt. to Town Clerk - Transmittal of specifications for a 4 x 4 truck, 6,200 lbs., G.V.M.	Highway Sup't. R & F
743.	Sec'y, Depew H.S. Student Senate to Town Board - Request permission for a motorcade on 11/10/77 for the Depew-Lancaster football game.	Police Chief
744.	Town Justice M. Kelleher to Town Board - Request permission for court clerks to attend seminar to be held 10/2/77 at the University of Buffalo.	R & F

COMMUNICATIONS CONT'D.:DISPOSITION

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications.

SUSPENSION GRANTED.

745. Highway Supt. to Town Board -
Request decisions relative to the
relocation of the Highway Dept. from
Walden Ave. to Pavement Road.

R & F

746. Supervisor to Town Board -
Report on various activities and functions
attended on behalf of the Town during the
past month.

R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN METZ , AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 10:10 P.M. out of respect
to:

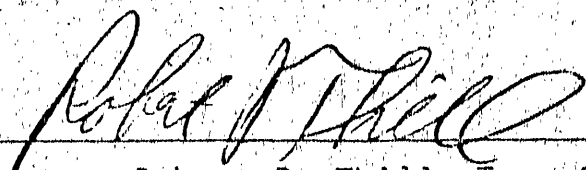
Sylvester Ipsaro

Leo M. VonScheidt

Anthony Knauber

Dorothy, Natale

Signed



Robert P. Thill, Town Clerk